

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CHARLES WILLIAM HOOPER,

Plaintiff,

v.

ORDER

11-cv-572-slc

KRISTINE HAMMERMEISTER,

Defendant.

On June 21, 2012, when plaintiff Charles W. Hooper failed to call the court to be included in the telephonic preliminary pretrial conference, the court gave Hooper one more chance and re-set the telephonic preliminary pretrial conference for June 28, 2012 at 2:30 p.m. The court warned Hooper that if he did not telephone into the court at that time, this lawsuit would be dismissed for failure to prosecute it.

On June 28, 2012, the court waited until 2:40 p.m. for Hooper to call in; he never called. The court convened the telephonic conference with defendant's attorney, who reported that she had received no communication from Hooper beyond his reported change of address. This led the court, after the hearing, to check with the clerk's office to determine whether the June 21 order had been sent to Hooper's new address. One of the deputy clerks who handles pro se cases reports that she not only sent the order to Hooper's new address, she had a telephone call with Hooper that lasted about 30 minutes about his litigation in this court. During this telephone call the deputy clerk reminded Hooper at least three times of the June 28, 2012 telephonic pretrial conference and that it was very important for him to call in as directed. As just noted, Hooper did not call in. The only conclusion the court can draw from this is that Hooper had abandoned this lawsuit.

ORDER

IT IS ORDERED that this case is DISMISSED WITH PREJUDICE for plaintiff's failure to prosecute it. The Clerk of Court is directed to enter judgment closing this case.

Entered this 2nd day of July, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge